

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

ESTATE OF DARWIN UZIEL GARCIA
MOREL, ET AL.,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,
ET AL.,

Defendants.

HON. KEVIN MCNULTY

Civil Action No. 2:16-cv-01640-KM-MAH

**STIPULATION OF DISMISSAL
UNDER FEDERAL RULE OF CIVIL
PROCEDURE 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED by and between Plaintiffs Estate of Darwin Uziel Garcia Morel and Maria E. Morel, Defendant United States of America and Defendant Trinitas Regional Medical Center, through their attorneys, that the Plaintiffs' Complaint shall be dismissed with prejudice as to the United States of America, with each party to bear its own costs, expenses, and attorneys' fees.

IT IS HEREBY FURTHER STIPULATED that the Plaintiffs' Complaint shall be dismissed without prejudice as against Trinitas Regional Medical Center with each party to bear its own costs, expenses, and attorneys' fees. The Plaintiffs may re-file their Complaint against Trinitas Regional Medical Center in an appropriate New Jersey state court within 30 days of the dismissal of this action.

IT IS HEREBY FURTHER STIPULATED that the cross-claims for contribution and indemnification asserted by Defendant Trinitas Regional Medical Center against Defendant United States of America shall be dismissed without prejudice with each party to bear its own costs, expenses, and attorneys' fees.

SO STIPULATED:

s/Douglas D. Burgess

Douglas D. Burgess, Esq.
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Attorneys for the Plaintiffs

Dated: February 7, 2018

s/ Paul Jason Miller

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Dated: February 7, 2018

s/Allan B. K. Urgent

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*Attorneys for Defendant
United States of America*

Dated: January 24, 2018

SO ORDERED:

February __, 2018

Honorable Kevin McNulty
United States District Judge